



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION II

290 BROADWAY

NEW YORK, NEW YORK 10007-1866

AUG 24 2011

VIA EXPRESS DELIVERY

(See Attached List of Addressees)

Re: Gowanus Canal Superfund Site, Brooklyn, Kings County, New York

Request for Information Pursuant to Comprehensive Environmental Response,
Compensation, and Liability Act, 42 U.S.C. Sections 9601-9675

Dear Sir or Madam:

The U.S. Environmental Protection Agency ("EPA") is charged with responding to the release or threatened release of hazardous substances, pollutants and contaminants into the environment and with enforcement responsibilities under the Comprehensive Environmental Response, Compensation and Liability Act, as amended ("CERCLA"), 42 U.S.C. Sections 9601-9675, (also known as the "Superfund" law). More information about CERCLA, including a copy of the Superfund law, may be found at www.epa.gov/superfund.

EPA has documented the release and threatened release of hazardous substances into the environment at the Gowanus Canal Superfund Site (the "Site"), located in Brooklyn, Kings County, New York. In response to the release and threatened release of hazardous substances into the environment at the Site, EPA has spent public funds and anticipates spending additional public funds.

In March 2010, the Site was added to the National Priorities List established pursuant to Section 105 of CERCLA, 42 U.S.C. Section 9605. EPA is currently conducting a remedial investigation/feasibility study ("RI/FS"). EPA's RI work to date has included, among other things, a bathymetry study of the Canal, deep sediment cores to determine the nature and extent of contamination in the Canal sediments, the installation of a series of monitoring wells in properties around the Canal to assess groundwater flow and upland source areas, and the collection of air, water, sediment and biota samples for human health and ecological risk assessments. The results of this work are contained in the draft RI report issued in January 2011. EPA is seeking to complete the FS by the end of 2011. EPA has also taken various enforcement actions with respect to the Site, including entering into administrative orders on consent with the City of New York and National Grid to conduct RI work at facilities associated with those parties. These actions have been and will be taken by EPA pursuant to CERCLA. Additional information about the Site, including the RI report, can be found at www.epa.gov/region02/superfund/npl/gowanus/.

The Gowanus Canal is a brackish, tidal arm of the New York-New Jersey Harbor Estuary, extending for approximately 1.8 miles through Brooklyn. The approximately 100-foot-wide canal runs southwest from Butler Street to Gowanus Bay and Upper New York Bay. The adjacent waterfront is primarily commercial and industrial, currently consisting of concrete plants, warehouses, and parking lots, and the Site is near several residential neighborhoods.

The Canal was constructed by bulkheading and dredging a tidal creek and wetland. After its completion in the 1860s, the Canal quickly became one of the nation's busiest industrial waterways, home to heavy industry including gas works (*i.e.*, manufactured gas plants), coal yards, cement makers, soap makers, tanneries, paint and ink factories, machine shops, chemical plants and oil refineries. The Canal was used as a repository for untreated industrial wastes, raw sewage, and runoff for decades, causing it to become one of New York's most polluted waterways. Although much of the industrial activity along the Canal has ceased, high contaminant levels remain in the groundwater and Canal sediments. Despite the ongoing pollution problems, the Canal is currently used by some for recreational purposes, such as canoeing and diving, while others catch fish for consumption.

Numerous sampling events have shown the sediments in the Gowanus Canal to be contaminated with a variety of pollutants, including polycyclic aromatic hydrocarbons, polychlorinated biphenyls, pesticides, metals and volatile organic compounds. The contamination extends the entire length of the Canal. The contaminants are believed to have entered the Canal via various transport pathways or mechanisms, including spillage during product shipping and handling, direct disposal or discharge, contaminated groundwater discharge, surface water runoff, storm water discharge and contaminated soil erosion.

As part of its investigation of potential sources of contamination to the Canal, EPA is seeking information regarding companies which operated in the vicinity of the Canal. EPA has evaluated information obtained in connection with the Site, including Sanborn maps, which indicate that your company or a predecessor or affiliated company owned/operated a facility located adjacent to or near the Canal. EPA is also seeking information which your company may possess regarding other parties whom EPA should contact.

INFORMATION REQUEST

This letter seeks your cooperation in providing information and documents relating to the Site. We encourage you to give this letter your immediate attention. A complete and truthful response to the enclosed Request for Information should be submitted to EPA within 30 days of your receipt of this letter.

Under Section 104(e) of CERCLA, EPA has broad information gathering authority which allows EPA to require persons to provide information or documents relating to the materials generated, treated, stored or disposed of at or transported to a facility, the nature or extent of a release or threatened release of a hazardous substance, pollutant or contaminant at or from a facility, and

the ability of a person to pay for or perform a cleanup.

While EPA seeks your cooperation in this investigation, your compliance with the enclosed Request for Information is required by law. When you have prepared your response to the Request for Information, please sign and have notarized the enclosed "Certification of Answers to Request for Information," and return that Certification to EPA along with your response. Please note that false, fictitious or fraudulent statements or representations may subject you to civil or criminal penalties under federal law. In addition, Section 104 of CERCLA, 42 U.S.C. Section 9604, authorizes EPA to pursue penalties for failure to comply with requests for information.

It is possible that some of the information that EPA is requesting may be considered by you to be confidential business information. Please be aware that you may not withhold the information on that basis. If you wish EPA to treat all or part of the information confidentially, you must advise EPA of that fact by following the procedures described in the Instructions included in the enclosed Request for Information, including the requirement of supporting your claim of confidentiality.

If you have information about other parties who may have information which may assist EPA in its investigation of the Site or may be responsible for the contamination at the Site, that information must be submitted to EPA within the time frame noted above.

Please note that if after submitting your response you obtain additional or different information concerning the matters addressed by the Request for Information, it is necessary that you promptly notify EPA.

This Request for Information is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. Sections 3501-3520.

Your response to this Request for Information, which may be submitted electronically, should be sent to:

Brian Carr
Assistant Regional Counsel
New York/Caribbean Superfund Branch
Office of Regional Counsel
U.S. Environmental Protection Agency, Region II
290 Broadway, 17th Floor
New York, NY 10007-1866
carr.brian@epa.gov

with a copy to:

Christos Tsiamis
Remedial Project Manager
New York Remediation Branch
Emergency and Remedial Response Division
U.S. Environmental Protection Agency, Region II
290 Broadway, 20th Floor
New York, NY 10007-1866
tsiamis.christos@epa.gov

If you have any questions regarding this Request for Information, including the need for additional time to respond, background information to assist in preparing your response, or about the Site generally, you may contact Mr. Carr via email at carr.brian@epa.gov or by phone at (212) 637-3170.

We appreciate and look forward to your prompt response to this information request.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Walter Mugdan', with a long horizontal flourish extending to the right.

Walter Mugdan, Director
Emergency and Remedial Response Division

Enclosures

List of Addressees for Gowanus Canal Request for Information Letter

CBS Corporation
Attn: William D. Wall
Vice President, Senior Counsel
CBS Law Department
20 Stanwix Street, 10th Floor
Pittsburgh, PA 15222-1384

Cooper Tire and Rubber Co.
Attn: Director of Environmental Affairs
PO Box 550
Findlay, OH 45839-0550

Northeastern Plastics, Inc.
Attn: Marc Fields, Chairman
14221 Eastex Freeway
Houston, TX 77032

T.E. Conklin Brass and Copper Corp.
Attn: James Burstein: President
11 Forbes Road
Woburn, MA 01801

McNally International Corp.
Attn: President
501 Seventh Avenue
New York, NY 10018

Ryder System, Inc.
Attn: Robert T. Fatovic
Chief Legal Officer
11690 NW 105 Street
Miami, FL 33178

Advance Paper Recycling Corp.
Attn: President
74 Kenny Place
Saddle Brook, NJ 07663

Fortune Brands, Inc.
Attn: Mark A. Roche
General Counsel
520 Lake Cook Road
Deerfield, IL 60015

PepsiCo, Inc.
Attn: Maura Abeln Smith
General Counsel
700 Anderson Hill Road
Purchase, NY 10577

O. C. Adhesives Corp.
Attn: President
700 Grand Avenue, #5
Ridgefield, NJ 07657

INSTRUCTIONS FOR RESPONDING TO REQUEST FOR INFORMATION

A. Directions

1. A complete and separate response should be given for each question.
2. Identify each answer with the number of the question to which it is addressed.
3. For each document produced in response to this Request for Information, indicate on the document, or in some other reasonable manner, the question to which it applies.
4. In preparing your response to each question, consult with all present and former employees and agents of your company whom you have reason to believe may be familiar with the matter to which the question pertains.
5. In answering each question, identify each individual and any other source of information (including documents) that was consulted in the preparation of the response to the question.
6. If you are unable to give a detailed and complete answer, or to provide any of the information or documents requested, indicate the reason for your inability to do so.
7. If you have reason to believe that an individual other than one employed by your Company, as the term is defined below, may be able to provide additional details or documentation in response to any question, identify that person.
8. If a document is requested but not available, state the reason for its unavailability. To the best of your ability, identify the document by author, date, subject matter, number of pages, and all recipients of the document with their addresses.
9. If anything is omitted from a document produced in response to this Request for Information, state the reason for, and the subject matter of, the omission.
10. If you cannot provide a precise answer to a question, please approximate but, in any such instance, state the reason for your inability to be more specific.
11. Whenever this Request for Information requests the identification of a natural person, or other entity, the person or entity's full name and present or last known address also should be provided.
12. All verbs shall be construed to include all tenses.
13. References to the singular shall be construed to include the plural, and references to the

plural shall be construed to include the singular.

14. Interpret "and" as well as "or" to include within the scope of the question as much information as possible. If two interpretations of a question are possible, use the one that provides more information.
15. Confidential Information. The information requested herein must be provided even though you may contend that it includes confidential business information or trade secrets. You may assert a confidentiality claim covering part or all of the information requested, pursuant to Sections 104(e)(7)(E) and (F) of CERCLA, 42 U.S.C. Sections 9604(e)(7)(E) and (F), and 40 C.F.R. Section 2.203(b).

If you make a claim of confidentiality for any of the information you submit to EPA, you must prove that claim. For each document or response you claim to be confidential, you must separately address the following points:

- a. the portions of the information which are alleged to be entitled to confidential treatment;
- b. the period of time for which confidential treatment is desired (e.g., until a certain date, until the occurrence of a specific event, or permanently);
- c. measures taken by you to guard against the undesired disclosure of the information to others;
- d. the extent to which the information has been disclosed to others, and the precautions taken in connection therewith;
- e. pertinent confidentiality determinations, if any, by EPA or other federal agencies, and a copy of any such determinations or reference to them, if available; and
- f. whether you assert that disclosure of the information would likely result in substantial harmful effects on your business' competitive position, and if so, what those harmful effects would be, why they should be viewed as substantial, and an explanation of the causal relationship between disclosure and such harmful effects.

To make a confidentiality claim, please stamp, or type, "confidential" on all confidential responses and any related confidential documents. Confidential portions of otherwise non-confidential documents should be clearly identified. Please submit your response so that all non-confidential information, including any redacted versions of documents, are in one envelope and all materials for which you desire confidential treatment are in another envelope.

All confidentiality claims are subject to EPA verification. It is important that you satisfactorily show that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so and that it is not and has not been obtainable by legitimate means without your consent. Information covered by such claim will be disclosed by EPA only to the extent permitted by CERCLA Section 104(e) and 40 C.F.R. Part 2, Subpart B. If no such claim accompanies the information when it is received by EPA, then it may be made available to the public by EPA without further notice to you.

B. Definitions

1. As used herein, the term "Site" shall refer to the Gowanus Canal, located in Brooklyn, Kings County, New York, and any areas that have been affected by, or contributed to, the contamination.
2. As used herein, the term "hazardous substance" shall have the meaning set forth in Section 101(14) of CERCLA, 42 U.S.C. § 9601(14). The substances which have been designated as hazardous substances pursuant to Section 102(a) of CERCLA (which, in turn, comprise a portion of the substances that fall within the definition of "hazardous substance" under Section 101(14) of CERCLA) are set forth at 40 CFR Part 302.
3. As used herein, the terms "hazardous waste," "disposal" and "storage" shall have the meanings set forth in Sections 1004(3), (5) and (33) of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. §§ 6903(3), (5) and (33), respectively.
4. As used herein, the term "industrial waste" shall mean any solid, liquid or sludge or any mixture thereof which possesses any of the following characteristics:
 - a. it contains one or more "hazardous substances" (at any concentration) as defined in 42 U.S.C. § 9601(14);
 - b. it is a "hazardous waste" as defined in 42 U.S.C. § 6903(5);
 - c. it has a pH less than 2.0 or greater than 12.5;
 - d. it reacts violently when mixed with water;
 - e. it generates toxic gases when mixed with water;
 - f. it easily ignites or explodes;
 - g. it is an industrial waste product;
 - h. it is an industrial treatment plant sludge or supernatant;
 - i. it is an industrial byproduct having some market value;
 - j. it is coolant water or blowdown waste from a coolant system;
 - k. it is a spent product which could be reused after rehabilitation; or
 - l. it is any material which you have reason to believe would be toxic if ingested, inhaled or placed in contact with your skin.

5. As used herein, the term "release" shall have the meaning set forth in Section 101(22) of CERCLA, 42 U.S.C. § 9601(22).
6. As used herein, the terms "the Company" and "your Company" refer not only to your Company as set forth below, respectively, but to its predecessor(s)-in-interest or affiliated entities, including but not limited to, those entities, if any, identified parenthetically below:
 - a. CBS Corp. (H. Krantz Manufacturing Co., Inc., Westinghouse Electric Co.)
 - b. Cooper Tire and Rubber Company (Cooper-Standard Holdings, Inc., CeeBee Division of Standard Products Co., Inc.)
 - c. Northeastern Plastics, Inc.. (NPI Plastics, Inc.)
 - d. T.E. Conklin Brass and Copper Corp.
 - e. McNally International Corp. (McNally Trucking Corp., McNally Bros, Inc.)
 - f. Ryder System, Inc. (Ryder Truck Rental, Inc.)
 - g. Advance Paper Recycling Corp.
 - h. Fortune Brands, Inc. (American Machine and Foundry Co., AMF, American Tobacco Co.)
 - i. PepsiCo, Inc.
 - j. O. C. Adhesives Corp. (Adhesion Systems, Inc.)
7. The term "identify" means, with respect to a corporation, partnership, business trust or other association or business entity (including a sole proprietorship) to set forth its full name, address, legal form (e.g., corporation, partnership, etc.), organization, if any, and a brief description of its business.
8. The term "Facility" shall mean the following facility locations for each respective company (affiliated successor companies noted parenthetically) identified below:
 - a. H. Krantz Manufacturing Co. (CBS Corp.), which operated an electric switchboard manufacturing facility at 7th Street and 3rd Avenue, Brooklyn, NY from approximately 1904 until its purchase by Westinghouse circa 1918.
 - b. Cee-Bee Division, Standard Products Co., Butler Street, Brooklyn, NY, (Cooper Tire and Rubber Co.) operated from approximately 1969 to 1999).
 - c. Northeastern Plastics, Inc, which operated a facility at 420 Carroll Street, Brooklyn, NY from approximately 1969 to 1999.
 - d. T.E. Conklin Brass and Copper Corp., which operated a facility at 270 Nevins Street, Brooklyn, NY from approximately 1959 to 1980.
 - e. McNally Trucking Corp. (McNally International Corp) operated a trucking facility at Nevins and DeGraw Streets, Brooklyn, NY from approximately the 1950's until 1981.
 - f. Ryder Truck Rental, Inc. (Ryder System, Inc.) operated truck rental/service facilities at Bond and DeGraw Streets, Brooklyn, NY from approximately 1979 to

2007 and at 280 DeGraw Street and Third Avenue, Brooklyn, NY from approximately 2001 to 2007.

- g. Advance Paper Recycling Corp. operated a paper recycling facility at 419 Bond Street, Brooklyn, NY (Block 466, lots 46 and 60) from approximately 1969 until 1996.
- h. American Machine and Foundry Co.(Fortune Brands, Inc.) operated a metal manufacturing facility at 346-360 Carroll Street, Brooklyn, NY from approximately 1904 until 1933.
- i. PepsiCo, Inc. operated a warehouse facility at Union Street and the Canal, Brooklyn, NY during the 1950's and a possible distribution facility at 21st Street and Gowanus Creek, Brooklyn, NY beginning in the 1980's.
- j. O. C. Adhesives Corp. operated an adhesives-related facility at 76 4th Street, Brooklyn, NY from approximately 1971 to 1984.

In addition, the term "Facility" shall mean any other parcel in the immediate vicinity of the Gowanus Canal which your Company or its predecessors or affiliated entities previously owned and/or operated. Separately identify all such additional Facility(ies) in your responses to the questions below.

- 9. All terms not defined herein shall have their ordinary meanings, unless such terms are defined in CERCLA or RCRA, in which case the statutory definitions apply.

REQUEST FOR INFORMATION

1. Please provide the following information on your Company:
 - a. Identify the state and date of incorporation of the Company and the Company's agents for service of process in the state of incorporation and in New York State.
 - b. Please identify the Chief Executive Officer or other presiding officer of the Company. Please also confirm the mailing address of that officer.
 - c. What is the nature of the business conducted by your Company?
 - d. If your Company is a subsidiary, division, branch or affiliate of another corporation or other entity, identify each of those other entities and those entities' Chief Executive Officers or other presiding officers. Identify the state of incorporation and agents for service of process in the state of incorporation and in New York State for each entity identified in your response to this question.
2. Is your Company a successor-in-interest to any company which owned property and/or operated in the vicinity of the Gowanus Canal, including those companies identified in Definition 6, above? If your answer is no, please identify the successor-in-interest to each entity identified in Definition 6, above, state the factual basis for your answer to this question, and provide documentation to support your answer.
3. Please describe in detail the manufacturing processes and any other operations conducted by your Company at the Facility, as defined in Definition 8, above, and identify the years in which it owned and/or conducted operations there. If those operations were not constant, describe the nature of all changes in operations and state the year of each change. If detailed information about your Company's operations is not available, provide, at minimum, a generalized description of the nature of your Company's business during the years in question and the type of work your Company would have conducted at the Facility. Your answer should include the following:
 - a. During what years did your Company operate at the Facility?
 - b. During what years did your Company own all or any portion of the Facility?
 - c. During the period of your Company's use of the Facility, did your Company lease any portion of the Facility to one or more other entities? If so, please identify the entity, the nature of its operations, and provide copies of leases.
 - d. Please provide copies of documents which effectuated your Company's acquisition and, if no longer owned, sale of the Facility property.

4. With respect to hazardous substances, hazardous wastes and industrial wastes at the Facility:
- a. List all hazardous substances, hazardous wastes and industrial wastes that were used, stored, generated, handled or received by your Company at the Facility. Be as specific as possible in identifying each chemical, and provide, among other things, the chemical name, brand name, and chemical content.
 - b. State when each hazardous substance, hazardous waste and industrial waste identified in your response to question 4.a., above, was used, stored, generated, handled or received and state the volume of each hazardous substance, hazardous waste and industrial waste used, stored, generated or handled on an annual basis.
 - c. Describe the activity or activities in which each hazardous substance, hazardous waste and industrial waste identified in your response to question 4.a., above, was used, stored, handled or received.
 - d. Show the location of the hazardous substances, hazardous wastes and industrial wastes identified in your response to question 4.a., above through a map or diagram of each Facility ("Facility Plan").
 - e. In addition to the Facility Plan, provide floor plans of the Facility, both current (if still in operation) and past reflecting changes over the period in which the Facility was in operation. The floor plan should depict all drainage sumps and above-ground and below-ground discharge piping and above-ground and underground storage tanks.
 - f. If your Company has performed dock or bulkhead repairs or construction at the Facility, please describe the dates, scope and extent of such work, and provide documents relating to such work.
- 5.
- a. What did your Company do with the hazardous wastes, hazardous substances, and industrial wastes that it used, stored, generated or otherwise handled at the Facility after it was finished with them? Describe in detail how and where the hazardous substances, hazardous wastes and industrial wastes identified in response to question 4 above were disposed. For each disposal location and method, state the nature and quantity of the material disposed of on an annual basis.
 - b. If any hazardous substances, hazardous wastes and industrial wastes ever were removed from the Facility for disposal or treatment, state the names and addresses of the transporters and disposal facilities used and the period during which each such transporter and disposal site was used. If you are unaware of the ultimate disposal location of any of the hazardous substances, hazardous wastes and

industrial wastes that were removed from the Facility, state the nature and quantity of the particular materials in question and the names and addresses of the companies or individuals who removed the materials from the Facility.

- c. Were any hazardous substances, hazardous wastes and industrial wastes ever disposed of at the Facility by your Company or any of its officers, employees, agents or representatives, or anyone else, either intentionally or unintentionally (in a manner other than those already identified in your responses to 5.a-b., above)? Your answer to this question should address, but not be limited to, instances in which hazardous substances, hazardous wastes, and industrial wastes were spilled or otherwise disposed onto or into the ground from drums, tanks, or any other containers, as well as instances in which drums or other containers containing any volume whatsoever of hazardous substances, hazardous wastes and industrial wastes caught fire. For each disposal identified in your response to this question:
- i. Identify the locations at the Facility where such disposal occurred;
 - ii. State the periods during which such disposal occurred at each area identified in your response to Question 5.c.i., above;
 - iii. Identify each of the materials disposed of at the Facility, including the chemical content, characteristics, and form (solid, liquid, sludge or gas) of the material;
 - iv. Describe the method of disposal used;
 - v. Describe how the material was containerized (if at all) at the time of the disposal; and
 - vi. State the quantity of each such material that was disposed of at the Facility.
6. If the Facility had bulk storage of petroleum or chemicals, please state the nature and location of the materials stored, including the types of petroleum products and additives handled at any time during operation of the Facility, show the location of storage tanks on the Facility Plan, and provide all documents related to the permitting, inspection, maintenance, product inventory levels, cleaning or closure of such tanks.
7. Identify all leaks, spills or releases or threats of releases of any kind of any hazardous substances, hazardous wastes and industrial wastes into the environment that have occurred or may have occurred at or from the Facility, including to the Gowanus Canal, including any leaks or releases from discharge pipes as well as from storage tanks, drums, other containers and tanks. Your answer should include:

- a. when each release occurred;
 - b. how each release occurred;
 - c. what individuals and companies caused or contributed to the release;
 - d. what hazardous substances were released, and in what form (e.g., gas, liquid, solid or sludge);
 - e. the amount of each hazardous substance released;
 - f. where each release occurred (indicate the location on the Facility Plan);
 - g. the media (soil, water, air) on or into which the material was released;
 - h. whether the release was fully contained and, if not, where the uncontained portion of the release is believed to have gone;
 - i. any and all activities undertaken in response to each release or threatened release;
 - j. any and all investigations of the circumstances, nature, extent or location of each release or threatened release including the results of any soil, water (ground or surface), or air testing that was undertaken; and
 - k. all persons with information relating to subparts a. through j. of this Question.
8. In addition to any documents requested above, please provide copies of the following:
- a. All records relating to releases of hazardous substances, hazardous wastes, and industrial wastes at the Facility or to the Gowanus Canal;
 - b. All waste manifests, invoices or other documents relating to the disposal of the hazardous substances, hazardous wastes, and industrial wastes disposed of at the Facility or otherwise handled at the Facility; and
 - c. All investigation documents relating to conditions at the Facility, including but not limited to the following:
 - i. safety and environmental audits;
 - ii. notices of violations of environmental laws and regulations;
 - iii. sampling results;

- iv. cleanup documents, including orders, Phase 1 or Phase 2 studies, remedial investigations, state Superfund, brownfields or voluntary cleanup program documents;
- v. spill reports; and
- vi. any submissions to the environmental agencies, including but not limited to, the New York State Department of Environmental Conservation, the city, county or state Department of Health, the New York City Department of Environmental Protection, the U.S. Coast Guard and EPA.

9. Were barges or other vessels utilized in operations at the Facility? If so, provide the following information:
 - a. the period of vessel operations;
 - b. the location of vessel transfers;
 - c. the nature of materials transferred to or from vessels;
 - d. the nature of vessel cleaning operations, if any, including what cleaning methods were used and how cleaning waste was handled;
 - e. the nature of any vessel maintenance, construction or repair operations, if any;
 - f. what spill prevention controls were utilized; and
 - g. a detailed description of any vessel-related releases, including the name of the vessel and its owner.
10. Did operations at the Facility utilize an on-site fleet of vehicles or otherwise generate or accept used or waste oil (hereinafter, "waste oil")? If so, describe in detail the used oil management practices during the period of the Facility's operations, including the number of vehicles serviced on-site, the volume of waste oil generated, how the waste oil was stored pending disposal, and the method and location of waste oil disposal.
11. Was coal stored, burned or otherwise utilized in operations at the Facility? If so, provide the following information:
 - a. the purpose for which coal was present at the Facility;
 - b. the location and manner of coal storage at the Facility;
 - c. the time period during which coal was present at the Facility;

- d. the annual volume of coal handled at the Facility; and
 - e. identify all coal storage, shipment, transfer and process locations on the Facility Plan.
12. Did the Facility's operations include tank cleaning? If so, describe in detail the Facility's tank cleaning practices during the period of operations, including the number of tanks on-site, the frequency and method of tank cleaning, the volume of tank cleaning waste generated, and the method and location of tank cleaning waste disposal.
13. Identify each of the discharge locations at the Facility, including but not limited to, pipes, drains, sumps, sewer connections and tanks. Describe each discharge location's purpose and use, show the location of each discharge point on the Facility Plan, and indicate whether it discharged to the Gowanus Canal, to the ground, the sewer or other location(s).
14. Did or does your Company's Facility have discharge or waste permits, including but not limited to, a National or State Pollutant Discharge Elimination System ("NPDES" or "SPDES"), RCRA permit, or New York City industrial waste discharge permit? If so, identify the Facility and the period during which the Facility has had a discharge permit. In addition, please provide copies of all documents since the initial permit, including but not limited to, permits, notices of violations, sampling analysis which document discharges in excess of permit limits, and administrative settlement orders for violations.
15. Please describe the closure of the Facility, if applicable. Your answer should include, but not be limited to, when the closure of the Facility occurred; how waste material was disposed of, and whether any waste material was left onsite. In addition, describe any further closure work that was undertaken at the time any portion of any of the Facility were transferred.
16. If your Company has a limited ability to pay but may have a) insurance coverage or indemnity rights for potential liability with respect to the Site, or b) your Company contends that it is not a successor to a prior entity which operated at the Site from which it acquired assets, Site-related or not, through an asset purchase, bankruptcy or otherwise, but your Company has insurance coverage rights, indemnity rights or information regarding any such rights from the prior entity, please provide:
- a. copies of all casualty, liability and/or pollution insurance policies issued to your Company or a prior entity from the date of commencement of operations at the Site to present, including but not limited to comprehensive general liability, primary, umbrella and excess policies, as well as any environmental impairment liability or pollution legal liability insurance;
 - b. if your Company does not have copies of such policies for itself or a prior entity,

information or documentation which may allow EPA to identify the nature and extent of insurance coverage, including but not limited to, the insurer name, policy number, effective date, broker, insurer and/or broker correspondence, insurance recovery, litigation or settlement records;

- c. the identity of any entity that may have a duty to indemnify your Company for any potential liability at the Site or for the past operations of a prior entity and copies of any document that reflect a requirement to indemnify; and
- d. a description and documents detailing how the insurance, indemnity or information described above was acquired from a the prior entity, such as via bankruptcy, asset purchase, merger, acquisition, etc.

17. If your Company contends that no releases or discharges of hazardous substances resulted from its operations of the Facility, please provide any information or documents which demonstrate that, for the period of the Facility's operation:

- a. the Facility had no pipes which discharged directly into the Gowanus Canal;
- b. the Facility was not connected to sewage pipes which indirectly discharged to the Gowanus Canal;
- c. the Facility had no sumps, wells or other discharge locations from which hazardous substances could enter the soil or groundwater;
- d. the Facility utilized no hazardous substances in their operations;
- e. no on-site disposal of hazardous substances occurred at the Facility;
- f. the Facility had controls which prevented surface water run-off from discharging into the Gowanus Canal; and
- g. the Facility utilized hazardous substance management practices which were in accordance with, or, more stringent than, standard industry practice for the time.

18. Does your Company have any additional information or documents which may help EPA identify other companies, governmental entities, or individuals which conducted operations at or owned the Facility, or otherwise contributed contamination to the Gowanus Canal? If so, please provide that information and those documents; state the time period when each such entity operated at or owned the Facility, or contributed contamination to the Gowanus Canal, and identify the source(s) of your information.

19. Identify the persons having knowledge of facts relating to the questions which are the subject of this inquiry. For each such person that you identify, provide the name, address,

and telephone number of that person, and the basis of your belief that he or she has such knowledge. For past and present employees of the Company, include their job title and a description of their responsibilities.

20. Please state the name, title and address of each individual who assisted or was consulted in the preparation of your response to this Request for Information. In addition, state whether this person has personal knowledge of the answers provided.
21. Supply any additional information or documents in your possession or available to you that may be relevant to the questions which are the subject of this inquiry or that may assist EPA in identifying potentially responsible parties under CERCLA with respect to the Site.

CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION
GOWANUS CANAL SUPERFUND SITE

State of _____

County of _____:

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document (response to EPA Request for Information) and all documents submitted herewith, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete, and that all documents submitted herewith are complete and authentic unless otherwise indicated. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. I am also aware that my Company is under a continuing obligation to supplement its response to EPA's Request for Information if any additional information relevant to the matters addressed in EPA's Request for Information or my Company's response thereto should become known or available to the Company.

NAME (print or type)

TITLE (print or type)

SIGNATURE

Sworn to before me this
___ day of _____, 20__

Notary Public